

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

RECEIVED CLERK'S OFFICE
2016 SEP 19 A 8:04

DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ON 09/19/16

United States of America,

vs.

Dylann Storm Roof,

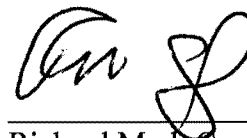
Defendant.

Criminal No. 2:15-472-RMG

ORDER
(Under Seal)

The Court has reviewed and carefully considered the objections submitted by the parties to the earlier draft of the Case Specific Questionnaire. (Dkt. Nos. 381, 382). A number of changes have been made in the Case Specific Questionnaire as a result of these objections and further review by the Court. The Court will allow the parties until September 20, 2016 at 9:00 a.m. to submit any objections to the form of the revised questions. This is not an invitation to relitigate whether certain questions should be included or whether a party's version of a particular question is preferred.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Court

September 19, 2016
Charleston, South Carolina

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA

v.

DYLANN STORM ROOF

)
)
)
)
)

Criminal No.: 2:15-472-RMG

INSTRUCTIONS

1. Fill out the information requested below and then answer each question.
2. If you do not understand a question, write “do not understand.”
3. If you do not know the answer, write “don’t know.”
4. Do not discuss the questions or your answers with anyone else, including other jurors.
5. The phrase “immediate family” means your parents, spouse, siblings, and children. The phrase “member of household” means any person not a member of your immediate family who resides in your home.
6. If you need additional space to answer a question, continue your response on the lined pages at the back of the questionnaire. Please indicate on the questionnaire that your response is continued at the back of the questionnaire and label your continued response with the question number you are answering. If you need additional paper, please ask court staff.

Thank you for your cooperation.

September____, 2016

Richard M. Gergel
UNITED STATES DISTRICT COURT JUDGE

Your Full Name

NOTE: My staff needs a record of your telephone number in case it is necessary to contact you personally.

Juror #

To protect your privacy this page will be separated from the rest of the questionnaire. Your telephone number will not be made available to anyone other than my court staff.

Home telephone number

Work or message telephone number

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA)	
)	Criminal No.: 2:15-472-RMG
v.)	
)	
DYLANN STORM ROOF)	

CONFIDENTIAL JUROR QUESTIONNAIRE

You have been called as a prospective juror in the case of United States of America v. Dylann Storm Roof. This questionnaire will be used to assist the Court and the lawyers in jury selection for this case. It is designed to obtain information about your background, experience, and views as they relate to your possible jury service. The questions are not meant to invade your privacy, but to help select the best possible jury for this case. This questionnaire is designed to save everyone time by reducing the number of questions that potential jurors will be asked in open court.

Your answers to these questions will only be used by the parties, the judge, and their assistants. Your answers will be kept confidential and, indeed, you may not discuss this questionnaire or the case with anyone, including your family or fellow prospective jurors. If you need assistance in completing the questionnaire, please ask the court staff. It may be necessary to follow up on some responses with additional questions. Please mark any of your responses with a (*) if you prefer that any follow-up questions be asked privately.

Please answer each question as completely and accurately as you can. Understand that there are no “right” or “wrong” answers to these questions, so long as your answers are truthful. If you are not sure whether a question applies to you, please answer it.

Because this questionnaire is part of the jury selection process, you must swear that the answers you give are true to the best of your knowledge, and you must fill out the questionnaire by yourself.

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

A few important precautions:

- If anyone attempts to talk to you about this case, please immediately notify the judge or a member of the courtroom staff.
- Please do not discuss this case with anyone. That includes friends, family members, and other potential jurors.
- Please do not read, watch, or listen to any media accounts or conversations about this case. This includes going on the internet to look up any news stories or websites that may pertain to this case. Please do not go to any of the locations that you believe may be involved in this case, if at all possible.
- If you are exposed accidentally to information or discussion about this case, please inform the judge when you appear for individual questioning.
- Do not be concerned that your answers might affect whether you are selected for jury service. Simply answer the questions truthfully and completely.

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

Name: _____

Juror Number: _____

1. Gender: Male _____
Female _____

2. Race: _____

3. Date of Birth: _____

4. Current Place of Employment: _____

5. Do you or any member of your immediate family or household know any of the following individuals?

Judge: The Honorable Richard M. Gergel

Prosecutors: Jay Richardson, Nathan Williams, Stephen Curran, Richard Burns & Mary Hahn

Defense Attorneys: David Bruck, Kim Stevens, Sarah Gannett & Emily Paavola
_____ Yes _____ No

If you answered “Yes,” identify each person known and explain who knows them and how.

6. Do you personally know any prosecutor employed by the United States Attorney’s Office in the District of South Carolina or in the Ninth Circuit Solicitor’s Office (Charleston and Berkeley Counties)?

_____ Yes _____ No

If you answered “Yes,” identify any prosecutor you personally know and describe how you know the person.

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

-
-
7. Have you or any member of your immediate family or household been employed by, applied for a job with, or served as a volunteer for any of the following:

- A. Any criminal prosecutor's or criminal defense attorney's office? _____ Yes _____ No
- B. Any law enforcement agency? _____ Yes _____ No
- C. Any law firm? _____ Yes _____ No
- D. Any correctional agency or jail? _____ Yes _____ No

If you answered "Yes" to any of the questions above, provide details concerning the agency or firm involved, the years of association, and job held or role played.

-
-
-
8. Do you have any opinions concerning the following which would affect your ability to be a fair and impartial juror?

- A. Criminal prosecutors _____ Yes _____ No
- B. Criminal defense attorneys _____ Yes _____ No

If you answered "Yes" to any of the questions above, please describe your opinions and explain why they would interfere with your ability to be a fair and impartial juror.

-
-
-
9. Have you or any member of your immediate family or household in the last 10 years held a leadership position with any social, political, civic, religious or other organization?

_____ Yes _____ No

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

If you answered “Yes,” identify the leadership position(s), the organization(s) in which they were held, and who held them. _____

10. Have you or any member of your immediate family or household in the last 5 years done any of the following?

A. Attended a meeting advocating crime victims’ rights or reform of the criminal laws?

_____ Yes _____ No

B. Attended a protest or demonstration of any type?

_____ Yes _____ No

C. Placed a sticker on a vehicle or placed a yard sign in the yard?

_____ Yes _____ No

D. Flown any flag at your home other than the American flag?

_____ Yes _____ No

If you answered “Yes” to any of the questions above, please provide details regarding your activities.

11. Have you or a member of your immediate family or household ever been a victim of a violent crime, even if the crime was not reported at the time?

_____ Yes _____ No

If you answered “Yes,” please provide details regarding the crime involved, the year the crime was committed, and any injuries suffered as a result.

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

12. A. Have you or any member of your immediate family or household been a victim of discrimination on the basis of race, gender, religion, national origin, ethnicity, or sexual orientation?

_____ Yes _____ No

If you answered “Yes,” please provide details regarding the discrimination experienced. _____

- B. Have you or any member of your immediate family or household been affected by discrimination or prejudice in any manner not described in Question No. 12(A) above?

_____ Yes _____ No

If you answered “Yes,” please provide details. _____

13. Do you have an opinion on the issue of gun control?

_____ Yes _____ No

If you answered “Yes,” please explain your opinion on gun control.

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

14. Have you served on a grand jury in the last 10 years?

_____ Yes _____ No

15. A. The parties in a criminal case are allowed to offer expert testimony, which jurors must consider and weigh in reaching a verdict in the case. Could you be a fair and impartial juror in light of your obligation to consider and weigh expert testimony?

_____ Yes _____ No

If you answered “No,” please explain your answer.

B. Could you be a fair and impartial juror in considering and weighing expert testimony of a mental health professional (psychiatrist, psychologist, clinical social worker, or therapist) offered by the Government or the Defendant?

_____ Yes _____ No

If you answered “No,” please explain your answer.

16. How would you describe the amount of media coverage you have seen about this case or the defendant, Dylann Roof:

- _____ A great deal (followed it very closely)
_____ Quite a bit (read many articles or watched television accounts)
_____ Moderate amount (just basic coverage in the news)
_____ Little (basically just heard about it)
_____ None (have not heard of case before today)

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

17. Has your information about this case or the defendant, Dylann Roof, come from (check all that apply):

☐ Newspaper(s) (including newspaper websites)
☐ Print periodicals/magazines (including magazine websites)
☐ Television or Radio
☐ Social media, including Facebook, Twitter, etc.
☐ Websites other than online newspapers or magazines
☐ Hearing people talk about it
☐ Personal knowledge
☐ Other

If you checked *personal knowledge* or *other*, please explain.

18. A. What have you seen, heard or read about this case or Dylann Roof?

- B. What are your thoughts and opinions about this case or Dylann Roof?

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

19. Have you spoken to others or written about this case or the defendant, Dylann Roof?

_____ Yes _____ No

If you answered “Yes,” please describe the substance of those conversations and the substance and location of the writings.

20. Have you done any online research on this case since you received your jury summons?

_____ Yes _____ No

If you answered “Yes,” please describe the research you have conducted.

21. Can you set aside what you have previously seen, read or heard about this case and decide this case based solely on the evidence presented in court and the judge’s instructions on the law? _____ Yes _____ No

If you answered “No,” please explain. _____

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

22. Would information that you received from any source prevent you from being a fair and impartial juror in this case? _____ Yes _____ No

If you answered “Yes,” please explain. _____

23. Have you ever been a news reporter, published or unpublished author, or blogger?

_____ Yes _____ No

If you answered “Yes,” please explain. _____

24. The defendant, Dylann Roof, has been charged with killing or attempting to kill the following individuals:

Reverend Sharonda Coleman-Singleton

Cynthia Hurd

Susie Jackson

Ethel Lee Lance

Reverend DePayne Middleton-Doctor

Reverend Clementa Pinckney

Tywanza Sanders

Reverend Daniel Simmons, Sr.

Myra Thompson

A minor child with the initials K.M.

Felicia Sanders

Polly Sheppard

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

Do you or any member of your immediate family or household know any of these individuals?

_____ Yes _____ No

If you answered “Yes,” please identify the individual(s) and describe their relationship with you or the member(s) of your immediate family or household.

25. Do you or any member of your immediate family or household know the defendant, Dylann Roof, or any member of his family?

_____ Yes _____ No

If you answered “Yes,” please identify the individuals you or a member of your immediate family or household know and describe the relationship(s)

26. Were you or any member of your immediate family or household personally affected by the events which occurred at Emanuel AME Church on Calhoun Street in Charleston, South Carolina, on June 17, 2015?

_____ Yes _____ No

If you answered “Yes,” please describe how you or a member of your immediate family or household were affected.

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

27. Have you or a member of your immediate family or household:

A. Attended services at Emanuel AME Church?

_____ Yes _____ No

B. Been a member of Emanuel AME Church?

_____ Yes _____ No

If you answered “Yes” to either of these questions, please describe your relationship with Emanuel AME Church.

When the death penalty is a possible punishment in a case, the trial usually involves two stages. During the first stage, the jury will determine whether the defendant is guilty or not guilty of the crimes with which he is charged. If the defendant is found guilty of a crime for which the death penalty is one of the possible punishments, the trial will continue to a second stage in which the same jury decides the appropriate sentence.

At this second stage, the jury will be instructed to consider certain aggravating factors (facts or circumstances that would tend to support the imposition of the death penalty). The jury will also be instructed to consider mitigating factors (any fact or circumstance that would tend to support the imposition of a sentence such as life in prison without the possibility of release). A mitigating factor is not a defense

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

(such as self-defense, insanity, or accident). Rather, it is a circumstance of the crime, or an aspect of a defendant’s background, character or history, that may suggest that he should not receive the death penalty even if he is guilty of intentional murder.

In accord with the Court’s legal instructions, after considering and weighing the aggravating and mitigating factors at the sentencing hearing, the jury will be asked to make a sentencing decision on the basis of the evidence presented and the court’s instructions on the law applicable to this case. This decision whether or not to impose the death penalty is made by the jury acting under the legal instructions from the Court.

In any case in which the charge carries a possible penalty of death, the law requires that jurors answer questions regarding their views, beliefs and opinions about the death penalty. This is true even though the defendant might be found not guilty of the charges in the indictment, and thus, the trial might not reach the question of what the appropriate sentence should be.

28. A. Please describe your views, if any, about the death penalty as a punishment for murder?

- B. What are the sources of your beliefs about the death penalty?

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

29. Please describe your views, if any, about life without the possibility of parole as a punishment for murder.

30. Please circle one number that indicates your opinion about the death penalty. A “1” reflects a belief that the death penalty should never be imposed; a “7” reflects a belief that the death penalty should be imposed whenever the defendant has been convicted of intentional murder.

Strongly Oppose

Strongly Favor

1 2 3 4 5 6 7

31. The law requires a jury in a death penalty case to consider and weigh the particular facts of the case, including any aggravating and mitigating factors, before making a decision whether or not to impose the death penalty. Understanding this legal standard, please answer the following questions:

- A. Should the death penalty always be imposed where there is an intentional murder of another person?

_____ Yes _____ No

- B. Should the death penalty always be imposed where there are intentional multiple murders?

_____ Yes _____ No

- C. Should the death penalty always be imposed where an intentional murder was motivated by the victim’s race or color?

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

32. Regarding the death penalty in a murder case, which of the following statements most accurately represents the way you feel? (You may circle one or more than one of the choices):

- a. I am opposed to the death penalty, and I will never vote to impose it, no matter what the facts or legal instruction.
- b. I am opposed to the death penalty, and my views would make it very hard for me to vote to impose it.
- c. I am opposed to the death penalty, but I could vote to impose it if I believed that the facts and the law in a particular case called for it.
- d. I have no definite opinions for or against the death penalty, and I could vote for either imposing the death penalty or a sentence of life imprisonment without the possibility of release depending upon the facts and the law in the case.
- e. I am in favor of the death penalty, but I could vote for or against the death penalty depending upon the facts and the law in the case.
- f. I am in favor of the death penalty, and my views would make it very hard for me to vote for any other sentence.
- g. I am in favor of the death penalty, and I would always vote to impose it, no matter what the facts or legal instruction.
- h. None of the statements above correctly describes my opinion about the death penalty.

33. A. Do you presently have an opinion whether the defendant, Dylann Roof, should or should not receive the death penalty?

_____ Yes _____ No

If you answered “Yes,” please state your present opinion. _____

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

B. If you answered “Yes” to Question No. 33(A), are you able to set aside your present opinions and decide the case solely on the evidence presented in the court and the judge’s instructions on the law?

_____ Yes _____ No

34. Do you believe that anyone close to you would be critical of you or disappointed in you if you voted for or against the death penalty in this case?

_____ Yes _____ No

If you answered “Yes,” state whether that anticipated criticism or disappointment would affect your ability to be a fair and impartial juror and explain your answer.

35. As a potential juror in this case, the judge has instructed you to avoid all media coverage, including social media, and not to go on the internet with regard to this case for any purpose. That is, you are forbidden from reading newspaper articles about this case, “googling” this case, blogging/tweeting about it or posting comments on any social media sites, etc. Do you have any reservations or concerns about your ability or willingness to follow this instruction?

_____ Yes _____ No

If you answered “Yes,” please explain. _____

36. Do you participate in social media (*e.g.*, Facebook, Twitter, LinkedIn, Instagram, etc.)? _____ Yes _____ No

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

If you answered “Yes,” which social media, and how often? _____

37. Do you have any personal experience, knowledge, or training concerning

A. Mental illness, mental disabilities, or mental disorders?

_____ Yes _____ No

B. Down Syndrome, Autism Spectrum Disorder, Asperger Syndrome, Fetal Alcohol Syndrome, or Attention Deficit Disorder?

_____ Yes _____ No

If you answered “Yes” to any question above, please explain in detail your personal experience, knowledge, or training in these areas.

38. Have you had any experience or interaction with individuals, groups, websites, publications, meetings or protests that would be considered to be related to white supremacists or “white nationalists”?

_____ Yes _____ No

If you answered “Yes,” please explain.

39. Do you attend religious services or have you done so in the past?

_____ Yes _____ No

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

If you answered “Yes,” state where you presently attend or where you last attended and state the religious faith, if any, to which you presently belong.

40. How, if at all, would your religious faith or moral beliefs influence your decision whether or not to impose the death penalty?

41. Do you have such strong feelings or opinions about whether the federal government should be involved in the prosecution of hate crimes or other cases of this nature that it could interfere with your ability to be a fair and impartial juror?

_____ Yes _____ No

If you answered “Yes, please explain. _____

42. As a result of any experience you or any member of your immediate family or household has had with the criminal justice system, do you have any feelings or opinions that might affect your ability to be a fair and impartial juror in this case?

_____ Yes _____ No

If you answered “Yes,” please explain. _____

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

43. Did you have any problems reading or understanding this questionnaire?

_____ Yes _____ No

If you answered “Yes,” please explain. _____

44. Is there any circumstance or other matter not previously covered in this or the earlier questionnaire that might affect your ability to be a fair and impartial juror in this case?

_____ Yes _____ No

If you answered “Yes,” please explain. _____

45. Is there any additional information not asked about in this questionnaire which you feel that the judge or the attorneys should know about you before considering you for jury service in this case?

_____ Yes _____ No

If you answered “Yes,” please explain. _____

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

[illegible]

Thank you again for your cooperation. Please read the following and sign below.

The answers provided above are truthful and complete to the best of my ability. I understand that knowingly giving a false answer may subject me to the penalties for perjury.

(Your Signature)

Date _____

PLEASE USE THE FOLLOWING PAGES TO CONTINUE ANY OF YOUR ANSWERS TO THE ABOVE QUESTIONS. BE SURE TO INDICATE THE NUMBER OF THE QUESTION YOU ARE ANSWERING.

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

[illegible]

Case Specific – RMG Edits after party comments – V.4 (9/18/2016)

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.